

## Patterson Belknap Webb & Tyler LLP

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**By ECF and E-mail, EX PARTE and Under Seal**

Hon. Ann M. Donnelly, U.S.D.J.  
United States District Court, Eastern District of New York  
Theodore Roosevelt United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201  
Email: donnelly\_chambers@nyed.uscourts.gov

**Re: *Gilead Sciences, Inc. et al. v. Safe Chain Solutions, LLC et al.*,  
No. 21-cv-4106 (AMD) (RER)**

Dear Judge Donnelly:

Plaintiffs (collectively, “Gilead”) filed via ECF today, *ex parte* and under seal, a motion seeking seizures pursuant to 15 U.S.C. § 1116(d) against defendants participating in the sale of dangerous counterfeit HIV medications in New York and across the United States. Gilead moves the court for an *ex parte* seizure order, a temporary restraining order, and an asset freeze order.

As set forth in Gilead’s moving papers, Gilead has identified individuals at the top of an organized and highly sophisticated counterfeiting conspiracy. Several of the newly named defendants were continuing to sell counterfeit Gilead-branded medication in the past several weeks – including a pharmacy in New York City that dispensed a bottle of counterfeit HIV medication with the wrong pills inside to a patient just days ago.

We appreciate the Court’s busy docket, as well as the extent of the evidence, most of it new, submitted in support of Gilead’s application. Consistent with Your Honor’s guidance at a prior hearing, we are not requesting that the seizure order be issued on any particular date, and thus we have not secured law enforcement assistance in executing the requested seizures for any particular date. We will finalize those arrangements as quickly as possible after the issuance of the orders.

Because Gilead’s application is being filed *ex parte* and under seal, as required by 15 U.S.C. § 1116(d)(8), we respectfully request that chambers e-mail any orders or written communications concerning this application to myself, my partner Timothy Waters, and our colleague Maxwell Weiss, at the addresses [gpotter@pbwt.com](mailto:gpotter@pbwt.com), [twaters@pbwt.com](mailto:twaters@pbwt.com), and [maweiss@pbwt.com](mailto:maweiss@pbwt.com). My colleagues and I are also available to appear in person, via Zoom, or telephonically as to the Court may request. I may also be reached any time on my cell phone, (917) 854-2310, and Mr. Waters may be reached his cell phone at (617) 308-8533.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Geoffrey Potter". The signature is written in a cursive, flowing style with a large initial "G" and a long, sweeping underline.

Geoffrey Potter